



Louis V. Fasulo, Esq. – NY & NJ  
Charles Di Maggio, Esq. – NY  
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FASULO BRAVERMAN & DI MAGGIO, LLP

ATTORNEYS AT LAW

Via Electronic Filing

Hon. Colleen McMahon  
United States District Judge  
Southern District of New York  
500 Pearl Street, Courtroom 24A  
New York, New York 10007

MEMO ENDORSE  
Sentencing Adj to  
May 17, 2023  
At 12:00 p.m.  
March 2, 2023  
*[Signature]*

**Re: United States v. Robert Morrell, 22 CR 00334 (CM)**

Dear Judge McMahon,

This firm represents Mr. Morrell in the above matter. Mr. Morrell's sentencing is currently scheduled for March 16, 2023. Pursuant to Your Honor's individual rules of practice, Mr. Morrell's sentencing submission is due March 2, 2023.

As of the date herein, the parties have not received Probation's draft Presentence Investigation Report (PSR) in this matter. Pursuant to Rule 32(e)(2) of the Federal Rules of Criminal Procedure, a criminal defendant is entitled to receive a copy of the PSR no less than 35 days prior to sentencing. Additionally, a criminal defendant has 14 days from receipt of the PSR to raise objections thereto in writing. Fed. R. Crim. Pro. 32(f)(1).

In light of this, the defense respectfully requests an adjournment of the March 16 sentencing date to a date no less than 45 days from the current sentencing date to account for the minimum timing provisions of Rule 32.<sup>1</sup>

I have contacted Probation and they anticipate circulating a draft copy by next week. I have also contacted the Government and was advised that they do not oppose this application. I

<sup>1</sup> While Mr. Morrell may be inclined to waive the minimum 35-day notice requirement of Rule 32(e)(2), I cannot consent to a waiver at this time without first consulting with him.

225 Broadway, Suite 715  
New York, New York 10007  
Tel (212) 566-6213  
Fax (212) 566-8165

505 Eighth Avenue, Suite 300  
New York, New York 10018  
Tel (212) 967-0352  
Fax (201) 596-2724

1086 Teaneck Rd, Ste 3A  
Teaneck, New Jersey 07666  
Tel (201) 569-1595  
Fax (201) 596-2724

thank the Court for its consideration.

Respectfully submitted,

/s/ Louis V. Fasulo  
Louis V. Fasulo, Esq.  
Fasulo Braverman & DiMaggio, LLP  
225 Broadway, Suite 715  
New York, New York 10007  
P: (212) 566-6213  
[LFasulo@FBDMLaw.com](mailto:LFasulo@FBDMLaw.com)

*Attorney for Defendant Robert Morrell*

Cc. AUSA

225 Broadway, Suite 715  
New York, New York 10007  
Tel (212) 566-6213  
Fax (212) 566-8165

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